

REMARKS/ARGUMENTS

Claims 8-9 are now in the application. Claims 8 and 9 have been indicated as being allowable in the Advisory Action of December 15th, 2003. Claims 8 is an independent claims.

Allowed Claims.

Claims 8 has been indicated as being allowable by the Office Action and claims 8 and 9 (as amended in this paper) have being indicated as allowable by the Advisory Action of December 15th, 2003.

Claim rejections.

Claim Rejection Under 35 U.S.C. 112.

The Office Action rejects claim 9 under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the Office Action alleges that the phrase “*said sample needles*” lacks antecedent basis.

Applicants have amended claim 9 to read, in relevant part, “*said sample needle*”. Applicants submit that the amended phrase has antecedent basis in claim 8, from which claim 9 depends, in the phrase “*a sample container with a sample needle ...*”.


Applicants request that amended claim 9 be entered, this rejection withdrawn and claim 9, as amended, now be allowed.

Summary

Therefore in view of the foregoing amendments and remarks, applicants respectfully requests entry of the amendments, favorable reconsideration of the application, withdrawal of all rejections and objections and that claims 8-9 be allowed at an early date and the patent allowed to issue.

Respectfully submitted,

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